DANN, DORFMAN, HERRELL AND SKILLMAN

A PROFESSIONAL CORPORATION

1601 MARKET STREET · SUITE 2400 · PHILADELPHIA, PA · 19103-2307
PHONE (215) 563-4100 · FAX (215) 563-4044

September 15, 2004

Last Name of First Named Inventor:

David Mark Whitcombe

MAIL STOP ISSUE FEE

Application No. 09/700,732

Allowed: December 8, 2003

Atty. Docket No. 0380-P02328US0

Filed: March 19, 2001

CONFIRMATION NO.: 7974

·

For:

NUCLEIC ACID SEQUENCE

IDENTIFICATION

COMMISSIONER FOR PATENTS Mail Stop Issue Fee P.O. Box 1450, Alexandria, VA 22313-1450

REQUEST TO CHARGE DEPOSIT ACCOUNT

Upon review of the above-identified patent application at the time of allowance, it was noted that the Notification of Missing Requirements Under 35 U.S.C. 371 ("Notification") dated January 18, 2001 set a one-month response period and that the applicants' declaration required by the Notification was filed March 19, 2001 without a petition for extension of time.

The Transmittal Letter to the U.S. Designated/Elected Office (DO/EO/US)

Concerning a Filing Under 35 U.S.C. 371 (Form PTO-1390), which was submitted with the declaration in response to the Notification included authorization for the PTO to charge any additional fee which may be required to Deposit Account No. 04-1406. As provided in 37 C.F.R. §1.136(a)(3), such an authorization constitutes a constructive petition for extension of time in any concurrent reply requiring a petition for extension of time for its timely submission.

Copies of the aforementioned Notification and PTO-Form 1390 are submitted herewith.

Mail Stop Issue Fee September 15, 2004 Page 2

A review of the Deposit Account Statement for Deposit Account No. 04-1406 of the undersigned attorney revealed that the Deposit Account was not charged for the petition fee authorized to be charged in the Form PTO-1390, as previously noted.

Accordingly, the Commissioner is hereby requested to charge Deposit Account No. 04-1406 the appropriate petition fee for a one-month extension of time that should have been charged at the time applicants' Declaration was filed on March 19, 2001.

> DANN, DORFMAN, HERRELL AND SKILLMAN A Professional Corporation

PATRICK J. HAGAN

PTO Registration No. 27,643

Telephone: (215) 563-4100 Facsimile: (215) 563-4044 Customer No.: 000110

Copies enclosed:

- Notification of Missing Requirements

- PTO-Form 1390

DANN, DORFMAN, HERRELL AND SKILLMAN

A PROFESSIONAL CORPORATION

1601 MARKET STREET · SUITE 2400 · PHILADELPHIA, PA · 19103-2307
PHONE (215) 563-4100 · FAX (215) 563-4044

September 15, 2004

Last Name of First Named Inventor:

MAIL STOP ISSUE FEE

David Mark Whitcombe

Allowed: December 8, 2003

Application No. 09/700,732

Filed: March 19, 2001

Atty. Docket No. 0380-P02328US0

CONFIRMATION NO.: 7974

For:

NUCLEIC ACID SEQUENCE

IDENTIFICATION

Certification of Mailing Under 37 CFR §1.8(a)

I hereby certify that this correspondence is being deposited on <u>September 15, 2004</u> with the United States Postal Service as first class mail in an envelope addressed to COMMISSIONER FOR PATENTS, Mail Stop Issue Fee, P.O. Box 1450, Alexandria, VA 22313-1450.

Caren Burgoon

COMMISSIONER FOR PATENTS Mail Stop Issue Fee P.O. Box 1450, Alexandria, VA 22313-1450

REQUEST TO APPLY PREVIOUSLY PAID ISSUE FEE IN ALLOWED APPLICATION SUBSEQUENTLY WITHDRAWN FROM ISSUE THEREAFTER REALLOWED

Please apply the issue fee, which has been previously paid on March 8, 2004, to the above-identified application, which was originally allowed December 8, 2003, withdrawn from issue after payment of the issue fee, per Notice of Withdrawal From Issue Under 37 C.F.R. §1.313(b) dated April 20, 2004, and again found allowable, per Notice of Allowance dated June

Mail Stop Issue Fee September 15, 2004 Page 2

15, 2004.

Copies of the following papers from the file of the above-identified patent application are enclosed:

- 1. Notice of Allowance, dated December 8, 2003.
- 2. PTOL-85-Part B-Fee(s) Transmitted with Certificate of Mailing.
- 3. Issue Fee payment (Check No. 38190 in the amount of \$1,360.00.)
- 4. Post Card Receipt, bearing a PTO date stamp of March 10, 2004.
- 5. Notice of Withdrawal From Issue Under 37 C.F.R. 1.313(b).
- 6. Notice of Allowance, dated June 15, 2004.

Authorization is hereby given to charge payment of any amount of issue fee presently required, in addition to the issue fee already paid, and to charge any additional fees required by this paper, or credit any overpayment, to Deposit Account No. 04-1406.

A duplicate of this paper is attached.

Respectfully submitted,

DANN, DORFMAN, HERRELL AND SKILLMAN

A Professional Corporation Attorneys for Applicant

By

Patrick J. Hagan

PTO Registration No. 27,643



Our File: 0380-P02328US0

In re the Application of:

David Mark Whitcombe

Serial Number: 09/700,732

Filed: March 19, 2001

For: Nucleic Acid Sequence

Identification

The following papers have been received:

- Fee Calculation Sheet (in duplicate)

- Issue Fee Transmittal PTOL-85B with Certificate of Mailing (in duplicate)

- Notification of Fee Address

- Check in the Amount of

MAR 1 0 2004 S

PLEASE STAMP AND RETURN THIS POSTAL CARD RADE

I CERTIFY UNDER 37 C.F.R. §1.8 THAT THESE DOCUMENTS WERE

MAILED ON March 8, 2004.

EST POSTAL SERVICE

BLEE

en Burgo



BEST AVAILABLE COPY

		N, DONEMAN, HERRELL & SKILL SLUTE 2000 2601 MARKET STREET PHILADELPHIA, PA 19103	MIN,PC -	- 0000000 - 00	PROTECTION OF THE PROPERTY OF	11.	38190
*	Chy a de Chila of _ One Thoma	Commissioner of Parents & Tradem	ut:			\$1,360.00	
	- .	Mingroo, DC 20231		Aller Landing		(?).	₩ 0 ₽
	- 0380	P023281:50		1, 4.	Patrick	J. Here	
	-	#03819D# C	D31401182C	.0022 1053	34,		
	6127	02670 381				1610000	-000/
	6127			1360.0			1000
	6127						5000/
	6127					/0000131	
T):				1360:0	0	One of the collection of the c	Andreas wans Alter and inches
	a serenal nergana prairi el la	02670 381				ODDO 3 3 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
D		02670 381		1360:0	0	One of the collection of the c	Andreas wans Alter and inches

SEP 2 0 2004 %

FORM PTO-I	HO UE DEPAR	THERT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER			
(REV 10-05)	ANSMITTAL LETTER	0380-P02328US0				
	DESIGNATED/ELECT	ED OFFICE (DO/EO/US)	U.S. APPLICATION NO. (If known, see 37 CFR 1.5)			
•		NG UNDER 35 U.S.C. 371	09/700,732			
INTERNA	ATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED			
PCT/GI	399/01597	20 May 1999	20 May 1998			
	TITLE OF INVENTION UCLEIC ACID SEQUENCE IDENTIFICATION					
APPLICA	APPLICANT(S) FOR DO/EO/US /HITCOMBE, David Mark et al.					
Applicant	herewith submits to the United States	Designated/Elected Office (DO/EO/US) the follow	ving items and other information:			
		s concerning a filing under 35 U.S.C. 371.				
1. [] 2. [XX]		NT submission of items concerning a filing under 3	5 U.S.C. 371.			
. =	m :	at examination procedures (35 H.S.C. 371(f)) at any	time rather than delay			
3.	Avamination until the expiration of U	he annicable time limit set in 33 U.S.C. 3/1(U) and	ICI Addica 22 and 37(1).			
4. 🔲		reliminary Examination was made by the 19th mor	ith from the earliest claimed priority date.			
5. 🔲	A copy of the International Appl	ication as filed (35 U.S.C. 371(c)(2))	at an a			
		(required only if not transmitted by the Interna	fional Bureau).			
	b. has been transmitted by	the International Bureau.	· om morro			
	c. is not required, as the ap	plication was filed in the United States Receiv	ring Office (RO/US).			
6. 🔲	A translation of the International	Application into English (35 U.S.C. 371(c)(2)).			
7.	Amendments to the claims of the	International Application under PCT Article	19 (35 U.S.C. 371(c)(3))			
_	a. are transmitted herewith	(required only if not transmitted by the Intern	ational Bureau).			
		y the International Bureau.				
	c. have not been made; ho	wever, the time limit for making such amender	mnts has NOT expired.			
	d. have not been made and					
		to the claims under PCT Article 19 (35 U.S.C.	371(c)(3)).			
9 XX	An oath or declaration of the inve					
10.		e International Preliminary Examination Repo	rt under PCT Article 36			
Itame 1	1. to 16. below concern documen	nt(s) or information included:				
—		nent under 37 CFR 1.97 and 1.98.				
11.						
12.	An assignment document for reco	ording. A separate cover sheet in compliance v	with 37 CFR 3.28 and 3.31 is included.			
13.	A FIRST preliminary amendment	t.				
	A SECOND or SUBSEQUENT F					
Ш	A SECOND of SOBSEQUENT P	nonanananananananananananananananananan				
14.	A substitute specification.		•			
15.	A change of power of attorney ar	d/or address letter.				
16. <u>X</u> K	Other items or information:					
	Copy of Form PCT/DO/	EO/905 (December 1997)				

ATTORNEY'S DOCKET NUMBER INTERNATIONAL APPLICATION NO. 0380-P02328US0 U.S. APPLICATION NO. (I'L PCT/GB99/01597 09/700,732 CALCULATIONS PTO USE ONLY 17. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Search Report has been prepared by the EPO or JPO International preliminary examination fee paid to USPTO (37 CFR 1.482) No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))..... Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).... S ENTER APPROPRIATE BASIC FEE AMOUNT = Surcharge of \$130.00 for furnishing the oath or declaration later than 20 months from the earliest claimed priority date (37 CFR 1.492(e)). RATE **NUMBER EXTRA** NUMBER FILED CLAIMS S Total claims X Independent claims -3 = S MULTIPLE DEPENDENT CLAIM(S) (if applicable) TOTAL OF ABOVE CALCULATIONS = S Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also by filed (Note 37 CFR 1.9, 1.27, 1.28). S SUBTOTAL Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)). 7 30 S TOTAL NATIONAL FEE \$ Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property S TOTAL FEES ENCLOSED Amount to be: refunded charged to cover the above fees is enclosed. A check in the amount of \$ _ to cover the above fees. in the amount of \$ Please charge my Deposit Account No. _____ A duplicate copy of this sheet is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1406. A duplicate copy of this sheet is enclosed. c. XX NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO: HAGAN, Patrick J. Dann Dorfman Herrell and Skillman, P.C. Patrick J. Hagan 1601 Market Street, Suite 720 NAME Philadelphia, Pennsylvania 19103 27,643 United States of America REGISTRATION NUMBER



BEST AVAILABLE COPY

U.S. APPLICATION NO.	FIRST NAMED	APPLICANT	ATTY, DOCKET NO.
09/700732	WHITCOMBE	D	0380-P02328U
PATRICK J HAGAN DANN DORFMAN HERRELL AND SKILLMAN		INTERNATIONAL APPLICATION NO. PCT/GB99/01597	
SUITE 720 1601 MARKET STREET	JONELMAN	I.A. FILING DAT	E PRIORITY DATE
DUI ADEDHIA PA 19103		20 MAY 99	20 MAY 98

HILADEPHIA, PA 19103	DATE MAILED: 11 8 JAN 2001
NOTIFICATION OF MISSING REQUIREMENTS UNDER	35 U.S.C. 371 IN THE UNITED
CTATE DESIGNATEIVE ECTED OFFICE	.P. 11RJ/19AJ/US1
The following items have been submitted by the applicant or the IB to the	United States Patent and Trademark Office as
a Designated Office (37 CFR 1.494).	
an Elected Office (37 CFR 1.495):	
W. U.S. Basic National Fee.	
Copy of the international application in:	
a non-English language.	
English.	
Translation of the international application into English.	
Oath or Declaration of inventors(s) for DO/EO/US.	
Copy of Article 19 amendments.	
Translation of Article 19 amendments into English.	
The International Preliminary Examination Report in English and its	Annexes, if any.
Translation of Annexes to the International Preliminary Examination	Report into English.
Preliminary amendment(s) filed 20 NOV 2000 and	
☐ Information Disclosure Statement(s) filed and	
Assignment document.	
Power of Attorney and/or Change of Address.	
Substitute specification filed	
Verified Statement Claiming Small Entity Status.	
X Priority Document	
Copy of the International Search Report M and copies of the referen	ices cited therein.
Other	
The following items MUST be furnished within the period set forth below	w in order to complete the requirements for
ceptance under 35 U.S.C. 371:	will be required if submitted later than the
a. Translation of the application into English. Note a processing fee	Will be required it submitted later than the
appropriate 20 or 30 months from the priority date. The current translation is defective for the reasons in	dicated on the attached Notice of Defective
Translation.	dicated on the atmones trongs
b. Processing fee for providing the translation of the application and	or the Annexes later than the appropriate 20 or
20 months from the priority date (37 CFR 1 492(1)).	
X c. Oath or declaration of the inventors, in compliance with 37 CFR	1.497(a) and (b), identifying the application by
the International application number and international filing date.	
The current oath or declaration does not comply with 37 Cl	FR 1.497(a) and (b) for the reasons indicated
on the attached PCT/DO/FO/917.	
d. Surcharge for providing the oath or declaration later than the app	ropriate 20 or 30 months from the priority date
(37 CFR 1.492(e)).	•
. Additional claim fees of \$ as a \[\] large entity \[\] small e	entity, including any required multiple dependen
laim fee, are required. Applicant must submit the additional claim fees or	Calicer the additional clauses for water 1995 and
ue. See attached PTO-875.	
LL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUS	I BE SUBMITTED WITHIN ONE MONTH
TO A THE TAKE OF THE NOTICE OF RV 121 OR 1X 31 MONI	THS FROM THE PRODUCT I DATE FOR
HE APPLICATION, WHICHEVER IS LATER. FAILURE TO PRO	PERLY RESPOND WILL RESULT IN
BANDONMENT.	
he time period set above may be extended by filing a petition and fee for	extension of time under the provisions of 37
CFR 1.136(a).	
Translation of the Annexes MUST be submitted no later that the time po	eriod set above of the annexes will be cancelled

- 4. Translation of the Annexes MIOST be submitted for later that the time period set above of the annexes will be called Note processing fee will be required if submitted later than 30 months from the priority date.

 5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR. 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.



0380-P02328US0

JCOZ Rec'd PCT/PTO T 9 MAR 200

In re the Application of:

David Mark Whitcombe et al.

U.S. Serial No. 09/700,732

Intl. Appln. No. PCT/GB99/01597

Intl. Filing Date: 05-20-99

Entitled: NUCLEIC ACID SEQUENCE IDENTIFICATION

ici. Illing Bacc. 03 20

The following papers have been received:

- Certificate of Express Mail
- Transmittal Letter to the DO/EO/US Concerning a Filing Under 35 U.S.C. §371 (in duplicate)
- Declaration, Power of Attorney and Power to Inspect

Copy of Form PCT/DO/EO/905

BEST AVAILABLE COPY

POST OFFICE TO ADDRESSEE

PLEASE STAMP AND RETURN THIS POSTAL CARD.

I CERTIFY UNDER 37 C.F.R. §1.10 THAT THESE DOCUMENTS WERE MAILED ON March 19, 2001

WITH EXPRESS MAIL LABEL NQ. EL12611021935S.

KIMBERLY ST. CLAIR KELLEY

ELSP110514302



UNITED STATES POSTAL SERVICE TM

ORIGIN (POSTAL USE O	ONLY)		
PO ZIP Code	Day of Delivery	Flat Rate Envelope	
6112	Next Second		N3 PHILA. R
Date In	12 Noon	Postage \$ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	SEE REVERSE SIDE FOR SERVICE GUARANTÉE AND LIMES
Time In	Military 3rd Day 3rd Day	Return Receipt Fee	ON INSURANCE COVERAGE
Weight Ozs.	int'i Alpha Country Code	COD Fee Insurance Fee	SEMN CENTER
No Delivery	Acceptance Clerk Initials	Total Postage & Fees	1 .
Weekend Holiday	116	\$ 12.3	,
CUSTOMER USE ONLY METHOD OF PAYMENT: Express Mail Corporate Acct. No.	X192052	± 1 wish delik that erticle	OF SIGNATURE (Domestic Only): Additional merchandise insurance is yeld if walver of algorithms is regulated, very to be made without obtaining signature of addressee or addressee, a gent if selvery employee lydges ocan be left in secure location) and Lauthorize that pelivery employee a socializing objectively addresses and
Federal Agency Acct. No. or Postal Service Acct. No.		délivery NO DELIVER	Y Weekend Holidsy : Customer Signification
FROM: (PLEASE PRINT)	PHONE ()		TO: (PLEASE PRINT) PHONE ()
CAMN BORF	MAD HERRELI N	L	COMMISSIONER OF PATERTS WASHINGTON DC 20231-0001
1501 MARK PHILADELP	er st ste HIA	720 PA 19103-2307	Bbe PCT
Diu-lal.	C	1280 B01228HC0	

Customer Copy

PRESS HARD. You are making 3 copie FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.gov

TEMS





000110

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

TICE OF ALLOWANCE AND FEE(S) DUE

DANN, DORFMAN, HERRELL & SKILLMAN 1601 MARKET STREET SUITE 2400 PHILADELPHIA, PA 19103-2307 EXAMINER

FREDMAN, JEFFREY NORMAN

ART UNIT PAPER NUMBER

1637 DATE MAILED: 06/15/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/700,732	03/19/2001	David Mark Whitcombe	0380-P02328US	7974

TITLE OF INVENTION: NUCLEIC ACID SEQUENCE IDENTIFICATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$0	\$0	\$0	09/15/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.